

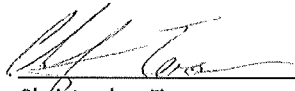


DEPARTMENT OF VETERANS AFFAIRS
VISERA Video System – STX ENT Surgical Service
Justification and Approval
For Other Than Full and Open Competition – Brand Name Only

1. **Contracting Activity:** Depart of Veterans Affairs, VISN 17, South Texas Veterans Health Care System (STVHCS), 7400 Merton Minter Blvd, San Antonio, TX 78229.
2. **Nature and/or Description of the Action Being Processed:** This requirement is for a VISERA Video Scope System from Olympus America. NCO-17 intends to award a firm-fixed price purchase order for the requested items/services.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Currently, the STVCHS has an established lease agreement with Olympus America for medical scopes and related equipment. This requirement is necessary in order to meet the agency's requirement of standardization of endoscopes as the facility currently utilizes Olympus brand scopes. Standardization is important as the correct care and cleaning of the scopes is essential to ensure patient safety; thus, having different brands will put patients at risk due to the need to clean each brand differently. The Visera Elite Video System Center is a multi-platform system that enables existing scopes to be used as well. Stabilized color reproduction and image noise reduction improve image quality. It is equipped with the next generation HD imaging capability to provide the best possible quality for flexible and rigid endoscopes. It enables comprehensive observation of different organs and tissue. Limiting this requirement to brand name only will ensure appropriate standard of facility care in the ENT Clinic and support patient care needs.
4. **Statutory Authority Permitting Other than Full and Open Competition:** Pursuant to the authority of 41 U.S.C. 253(c) and 38 U.S.C. 8123 as implemented by the following checked Federal Acquisition Regulation (FAR) regulations, and 806-302-5 of the Veterans Administration Acquisition Regulation (VAAR) Supplement.
 - ☒ (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - ☐ (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - ☐ (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - ☐ (4) International Agreement per FAR 6.302-4
 - ☐ (5) Authorized or Required by Statute FAR 6.302-5; (38 U.S.C. 8123)
 - ☐ (6) National Security per FAR 6.302-6;
 - ☐ (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** This is not a sole source procurement; however, it must be brand name only. No equals or substitutes are acceptable. VISN 17 requires a VISERA Video System from Olympus America for the ENT Clinic at the STX Surgical Service. Based on the VHA Standardization of Endoscopes – VAIQ PWF 7063659, it has been mandated that standardization of equipment, processes, and procedures be implemented immediately to ensure patient safety and health. Currently, the STVHCS has a lease agreement with Olympus America. Procurement of another video scope system of a brand other than Olympus America will result in compatibility issues that could potentially affect patient safety and health.

6. **Description of Efforts Made to Ensure that Offers Are Solicited from As Many Potential Sources As Deemed Practicable:** In accordance with FAR 8.002 "Priorities for use of Government Supply Sources", a search was conducted in GSA (SIN A-9; Scopes, Medical) resulted in 52 total vendors, 39 of which are small businesses. Correspondence with the manufacturer, Olympus America, resulted in 3 vendors authorized as distributors of the requested system. The vendor information is listed below:
- Alliant Healthcare Products is a licensed Olympus America Distributor and a **SBA certified Service Disabled Veteran-owned Small Business**, which has their own VA FSS Contract (V797P-4946A).
 - A 2 Z Supply Corp is a licensed Olympus America Distributor and a **SBA certified Service Disabled Veteran-owned Small Business**, which has their own VA FSS Contract (V797P-2183D).
 - Metro Medical is a licensed Olympus America Distributor and a **SBA certified Small Business**, which has their own VA FSS Contract (V797D-40209).
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** This requirement will be posted on Federal Business Opportunities (FBO) as a 100% Small Business Set Aside and Brand Name Only. The three vendors listed above will be selected to receive notice of the solicitation; however, all vendors on FBO will have access to the solicitation. It is anticipated, competition will determine the pricing fair and reasonable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** FAR Part 10 directs that market research be conducted on each acquisition appropriate to the circumstances. The requirement is considered to be commercial as the items are available in the commercial market place. The results of market research in FBO, GSA, and correspondence with the manufacturer revealed that the requested items/services are available through small business channels that are authorized to sell and distribute Olympus America products.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before making subsequent acquisitions for the supplies or services required:** There are no efforts being made to overcome the Brand Name Only requirement at this time. The STVHCS currently has a lease agreement with Olympus America, and per the VHA Mandate of Standardization of Scopes, it is in the best interest of the Government solicit this requirement as Brand Name Only.

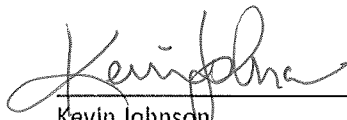
12. **Requirements Certification:** I certify that the requirement outlined in this Justification is a Bona Fide Need of the Department of Veteran Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief,


Christopher Teran
Program Specialist

01/26/2015
Date

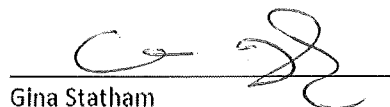
13. **Approvals in accordance with FAR 6.304:**

- a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Kevin Johnson
Contracting Officer

1/26/2015
Date

- b. **VISN/PCA QA (Required \$3K and above):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Gina Statham
NCO 17 Supply I Branch Chief

1-26/2015
Date

HIGHER LEVEL APPROVAL (For Orders over \$500,000): ☐ REQUIRED ☒ NOT REQUIRED

Geoff Salazar
Director of Contracting
Network Contracting Office, NCO-17 (SAOW)

Date